

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

Paper No. 40

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES A. MCKANIN, PETER FASCIANO,
JEFFREY D. KURTZE, STEPHEN M. DISCIULLO,
PAUL H. GREAVES and HARRY DER

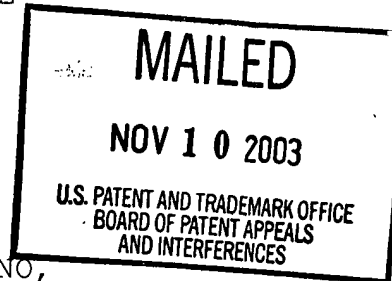
Application No. 08/932,784

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 10, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (hereinafter IDS) was filed July 9, 1999 (Paper No. 12).

It is not clear from the record that the IDS was considered



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by the examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the examiner for such consideration of the IDS dated July 9, 1999, and for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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CRF/dpv
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